

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL No. 97-074 (DRD)

RONALD BARRIOS GARCIA,

Defendant.

**MOTION REQUESTING AMENDMENT OF ORDER REGARDING REDUCTION OF
SENTENCE UNDER 18 U.S.C. § 3582(c)(2)**

TO THE HONORABLE DANIEL R. DOMINGUEZ
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW *Ronald Barrios-Garcia*, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico through the undersigned attorney, and very respectfully states, alleges and prays as follows:

1. On April 14, 2008 the defendant filed a "Motion Submitting Stipulation Regarding Reduction of Sentence under 18 U.S.C. motion § 3582 (c)(2)" (Docket Number 609). By such means the defendant informed this honorable Court that a stipulation had been reached with the Government regarding the motion requesting reduction of sentence based on the "crack amendment".

2. Such stipulation stated that the defendant had been sentenced to a term of imprisonment of 292 months, that being an 11% increase over the lower end of the applicable guideline range, reason by which a term of 233 months was stipulated.

3. After such filing, this honorable Court issued an order reducing the term of imprisonment to 233 months (Docket number 615).

4. After such order was filed the undersigned attorney noticed that by inadvertence we had stipulated a reduction of sentence based on a judgment imposed by this Honorable Court of 292 months when a further amended judgment was of 276 months. (See Amended Judgment, Docket number 579).

5. Taking into account that the amended and final judgment of this Court was of 276 months of imprisonment, that being 5.3% over the lower end of the applicable guideline range, the new sentence shall be of 221 months of imprisonment and not of 233 months.

WHEREFORE, it is respectfully requested that this Honorable Court take notice of the present motion requesting clarification of judgment and that the same be granted.

I HEREBY CERTIFY that on this date I electronically filed the present motion with the Clerk of Court using the CM/ECF system, which will send notification to all parties of record.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 2nd day of June, 2008.

**JOSEPH C. LAWS, JR.
FEDERAL PUBLIC DEFENDER**

s/MELANIE CARRILLO JIMÉNEZ
MELANIE CARRILLO-JIMENEZ
Assistant Federal Public Defender
USDC - PR 225107
241 F. D. Roosevelt Avenue
San Juan, PR 00918-2305
Tel. (787) 281-4922
Melanie_Carrillo@fd.org